

**CITY COUNCIL OF THE CITY OF SAN DIEGO
THE CLOSED SESSION MEETING REPORT
FOR MONDAY AND TUESDAY, SEPTEMBER 24 AND 25, 2012
CITY ADMINISTRATION BUILDING
COMMITTEE ROOM – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

REPORTING THE RESULTS OF THE CLOSED SESSION MEETING

Only items that can be disclosed are reported out in the Open Session of the regular City Council Meeting. Public comment on Closed Session items are taken in Open Session. Please refer to the City Clerk’s minutes for Open Session for more information. Assistant City Attorney Mary Jo Lanzafame reports the results of the Closed Session Meeting of September 24 - 25, 2012, as follows:

CLOSED SESSION MEETING FOR MONDAY, SEPTEMBER 24, 2012

(Closed Session Items were heard on Tuesday, September 25, 2012, at 9:00 a.m.)

CLOSED SESSION MEETING FOR TUESDAY, SEPTEMBER 25, 2012

ROLL CALL:

Present: Council President Young, Council President Pro Tem Faulconer, and Councilmembers Lightner, Gloria, DeMaio, Emerald, and Alvarez

Absent: Mayor Sanders (Absent for the meeting.)
Councilmember Zapf – Dist. 6 (Absent for Items CS-1 and CS-3.)

CLOSED SESSION ITEMS:

Code section: Conference with Legal Counsel - existing litigation, pursuant to California Government Code section 54956.9(a):

CS-1 *Opp v. City of San Diego; Metropolitan Transit System; San Diego Transit Corporation; Metropolitan Transit Development Board*
San Diego Superior Court Case No. 37-2011-00096401-CU-PO-CTL

DCA Assigned: J. Gilman

Report: Nothing to report.

CS-2 *Coastal Environmental Rights Foundation, Inc. v. City of San Diego* [CERF I]
San Diego Superior Court Case No. 37-2010-00095062-CU-TT-CTL

***Coastal Environmental Rights Foundation, Inc. v. City of San Diego* [CERF II]**
San Diego Superior Court Case No. 37-2010-00102574-CU-TT-CTL

***Coastal Environmental Rights Foundation v. City of San Diego* [CERF 3]**
San Diego Superior Court Case No. 37-2011-00092008-CU-TT-CTL

***Coastal Environmental Rights Foundation v. City of San Diego* [CERF 4]**
San Diego Superior Court Case No. 37-2011-00102639-CU-TT-CTL

Coastal Environmental Rights Foundation v. City of San Diego
San Diego Superior Court Case No. 37-2012-00097775-CU-WM-CTL

DCA Assigned: G. Spitzer

Report: Nothing to report.

CS-3 *Alison Terry v. City of San Diego*
U.S. District Court Case No. 06-cv-1459 MMA (KSC)

DCA Assigned: K. Zlotnik

Motion: Pay judgment fees and cost; and not appeal trial court's award of attorney's fees and costs.

Moved: Councilmember Lightner – Dist. 1

Seconded: Councilmember Emerald – Dist. 7

Vote: Passed 7 to 1 with Councilmember Zapf absent.

Report: This item was reported out by City Attorney Jan Goldsmith on Tuesday, September 25, 2012, at 6:03 p.m.

Today, in Closed Session, the City Council took the following action:

The City Council voted on Closed Session Item No. CS-3, *Alison Terry v. City of San Diego*, U.S. District Court Case No. 06-cv-1459 MMA (KSC), to not appeal the trial court's award of attorney's fees and costs. This matter involved an employment discrimination lawsuit against the City.

The motion passed 7 to 0 with Councilmember Zapf absent.

REPORTED BY: /s/ Mary Jo Lanza fame
Mary Jo Lanza fame
Assistant City Attorney